

# **ORDINANCE 1500**

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, EXTENDING INTERIM ZONING CONTROLS RELATED TO PERMITTED USES IN THE COTTAGE RESIDENTIAL ZONE ADOPTED UNDER ORDINANCE 1481; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City of North Bend adopted Ordinance No. 1481 on March 5, 2013, establishing interim zoning regulations related to permitted uses in the Cottage Residential Zone (Interim Development Regulations); and

**WHEREAS**, the City Council clarified in Ordinance No. 1481 its intent under NBMC 18.12 not to allow standard single family homes in neighborhoods in the Cottage Residential Zone; and

**WHEREAS**, the City Council further directed the Planning Commission to evaluate and recommend additional changes and clarifications to the NBMC related to cottage housing; and

**WHEREAS**, the Planning Commission subsequently considered the Interim Development Regulations and, following a public hearing on March 28, recommended approval of amendments to NBMC Title 18 to not allow standard single family homes in the Cottage Residential Zone; and

**WHEREAS**, pursuant to state law, the City held a public hearing on the interim zoning regulations established by Ordinance No. 1481 on April 16, 2013; and

**WHEREAS**, the City Council now desires additional time to consider public input regarding regulations and zoning related to cottage housing, including but not limited to NBMC Chapter 18.10.030 Permitted and Conditional Uses, 18.40.040 Bulk and Dimensional Standards, and 18.10.050 Performance Standards; and

**WHEREAS**, notice of this proposed extension of the Interim Development Regulations was properly published on the City website, in the City's Official Newspaper and mailed to any person who provided public comment on the Interim Development Regulations at the April 16, 2013 public hearing; and

**WHEREAS**, a public hearing was held upon this extension of the Interim Development Regulations on September 17, 2013;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Findings of Fact Adopted:** The City Council hereby adopts the above WHEREAS clauses as findings of fact.

**Section 2. Adoption of Interim Zoning Controls.** The City Council extends its adoption of the Interim Development Regulations originally adopted under Ordinance 1481 for further evaluation and consideration. The Interim Development Regulations shall be effective for six (6) months from the effective date of this ordinance, unless subsequently renewed after a public hearing and entry of findings of fact.

**Section 3. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. Effective Date:** This ordinance shall take effect five (5) days after its publication or publication of a summary of its intent and contents.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17<sup>TH</sup> DAY OF SEPTEMBER, 2013.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

Published: September 25, 2013  
Effective: September 30, 2013

**ATTEST/AUTHENTICATED:**

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**Susie Oppedal, City Clerk**